

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

February 4, 2004

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., February 4, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Fulton Brock, District 1 Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the minutes from meetings held on December 1, 3, and 8, 2003.

PERSONNEL AGENDA

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

East Mesa ADMP - Crismon Channel (Per: Resolution FCD 97-11 & 97-11A)

Item 9906.011, Permanent Channel Easement and Agreement for Flood Control Purposes from Mesquite Canyon Community Association to the Flood Control District of Maricopa County for the sum of \$49,601.00.

Item 9906.012, 017; Temporary Construction Easement and Agreement for Flood Control Purposes from Mesquite Canyon Community Association to the Flood Control District of Maricopa County for the sum of \$9,075.00.

Item 9906.011-PCE, Purchase Agreement & Escrow Instructions (three (3) copies for signature).

Property Management - Sonoma Landing - Sewer Line (Per: Resolution FCD1999R016)

Item N2270, Sewer Line Easement from the Flood Control District of Maricopa County to the CTA Venture No. 9 LTD for the sum of \$1,100.00.

RESOLUTION – DISSOLUTION OF RESOLUTION REGARDING UNION HILLS DRIVE FIELD OFFICE PROJECT

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Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to adopt Resolution FCD 2003R012, Dissolution of Resolution FCD 2000R010, Union Hills Drive Field Office Project Authorization (C69010106), recorded August 29, 2000 (2000-0664677). The removal of the trailer under the provisions of the resolution has been completed and further authorization under this resolution is no longer required. (C69010106) (C69040666) (ADM1900)

CONTRACT WITH WESTERN TECHNOLOGIES, INC.

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to award Contract FCD 2003C065, On-Call Environmental Services with Western Technologies, Inc (consultant). The contract will be effective for a period of 730 calendar days from the date of its execution or until the contract expenditure of \$100,000, whichever occurs first. The Flood Control District of Maricopa County (District) and the consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. All work assignments authorized under this contract will be for environmental services for the district and related features. (C69040675)

CALL FOR BIDS AND AWARD – CHANDLER HEIGHTS DETENTION BASIN PHASE I – EMF CHANNEL AND SOUTH BASIN AREA

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County (District) to issue an invitation for bids for contract fcd 2003c028, Chandler Heights detention basin phase 1 – emf channel and South Basin Area (no. 121), and to award the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate. (C69040695)

MEETING RECESSED TO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-1) to go into executive session, to be held in the Tom Sullivan Conference Room, 301 West Jefferson, for the purpose of obtaining legal advice from the Board's attorney on matters listed below. All members remained in session. The Board will reconvene in open session for any subsequent vote.

PENDING OR CONTEMPLATED LITIGATION - ARS §38-431.03(A)(4)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Legal Enforcement Action Against Richard Hollabaugh (Addendum Item A-F-1.)

Kevin S. Costello, Deputy County Attorney, Division of County Counsel

Mike Ellegood, Flood Control District

Mark Mayer, Flood Control District

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

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Andy Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board